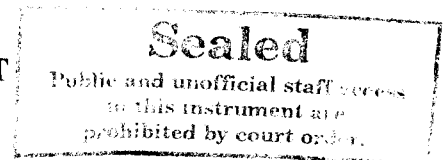


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION



UNITED STATES OF AMERICA

V.

ORIOLA SAMUEL ODULATE

§
§
§
§
§

CR. NO. H-16-cr 574

INDICTMENT

THE GRAND JURY CHARGES:

COUNT 1

(CONSPIRACY TO STEAL GOVERNMENT MONEY - 18 U.S.C. §371)

A. THE CONSPIRACY AND ITS OBJECTS

1. From on or about February 23, 2015 until on or about June 17, 2015, in the Houston Division of Southern District of Texas and elsewhere,

ORIOLA SAMUEL ODULATE,

defendant herein, did knowingly combine, conspire, confederate, and agree with others known and unknown to the Grand Jury, to steal and convert to his own use money or any thing of value of the United States or any department or agency thereof, of a value exceeding \$1,000, in violation of Title 18, United States Code, Section 641.

B. MANNER AND MEANS OF THE CONSPIRACY

It was part of the conspiracy that:

2. The conspirators would and did unlawfully acquire the personal identifying information (PII) of others such as name, date of birth, social security number and address.

3. The conspirators used the unlawfully acquired PII to file fraudulent tax returns in the names of the victims. The fraudulent tax returns requested a refund from the Internal Revenue Service (IRS).

4. The fraudulent tax returns would direct the IRS to send the refunds to bank accounts opened and controlled by the defendant.

5. The defendant would receive the money from the unlawful refunds and withdraw it from his bank account.

6. The defendant received at least \$268,017 in fraudulent refunds during the conspiracy.

C. OVERT ACTS

7. In furtherance of the conspiracy, and to affect the object of the conspiracy, the overt acts listed in Counts 2- 19 of this indictment, among others, were committed in the Southern District of Texas.

All in violation of Title 18, United States Code, Section 371.

COUNTS 2 THROUGH 10
(THEFT OF GOVERNMENT MONEY – 18 U.S.C. §641)

A. THE SCHEME AND ARTIFICE

1. From on or about February 23, 2015 until on or about June 17, 2015, in the Houston Division of Southern District of Texas and elsewhere,

ORIOLA SAMUEL ODULATE,

defendant herein, aided and abetted by others known and unknown to the grand jury, did knowingly and willfully steal and convert to his own use money or any thing of value of the United States or any department or agency thereof, of a value exceeding \$1,000, in

violation of Title 18, United States Code, Section 641, as more fully set forth in the counts below.

B. MANNER AND MEANS OF THE SCHEME AND ARTIFICE

2. Among the deceitful and dishonest means by which the defendant sought to accomplish and did accomplish the purpose of the scheme to defraud were the acts set forth in paragraphs 2-6 of Count 1 of this Indictment, are re-alleged and incorporated as if fully set forth in these counts of the Indictment.

C. EXECUTION OF THE SCHEME AND ARTIFICE

3. On or about the following dates, the defendant executed the scheme and artifice set forth above by knowingly receiving IRS refunds into bank accounts he controlled, as described in the counts below:

COUNT	DATE	AMOUNT OF REFUND RECEIVED	VICTIM
TWO	March 6, 2015	\$11,862	D.L. and L.L.
THREE	March 9, 2015	\$8,016	A.H. and J.H.
FOUR	March 18, 2015	\$8,157	C.B. and J.B.
FIVE	March 20, 2015	\$9,135	A.B. and J.B.
SIX	March 24, 2015	\$13,916	P.L. and L.L.
SEVEN	March 25, 2015	\$126,924	L.H. and L.H.
EIGHT	April 13, 2015	\$48,213	R.L. and A.L.
NINE	June 9, 2015	\$37,642	W.G. and B.G.
TEN	June 17, 2015	\$4,152	P.W.

In violation of Title 18, United States Code, Sections 641 and 2.

COUNTS 11-19
(AGGRAVATED IDENTITY THEFT – 18 U.S.C. §1028A)

From on or about February 23, 2015 until on or about June 17, 2015, in the
Houston Division of Southern District of Texas and elsewhere,

ORIOLA SAMUEL ODULATE,

defendant herein, aided and abetted by others known and unknown to the Grand Jury, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another, that is, the name, address, social security number and/or date of birth, of the real persons listed in the counts below, during and in relation to a violation of 18 U.S.C. §641 (Theft of Government Money), by filing a false and fraudulent tax return using the means of identification of the victim, as described in the counts below:

COUNT	DATE TAX RETURN SIGNED	VICTIM
ELEVEN	February 15, 2015	D.L. and L.L.
TWELVE	March 1, 2015	A.H. and J.H.
THIRTEEN	March 9, 2015	L.H. and L.H.
FOURTEEN	March 10, 2015	C.B. and J.B.
FIFTEEN	March 12, 2015	A.B. and J.B.
SIXTEEN	March 17, 2015	P.L. and L.L.
SEVENTEEN	March 22, 2015	R.L. and A.L.
EIGHTEEN	March 25, 2015	P.W.
NINETEEN	May 1, 2015	W.G. and B.G.

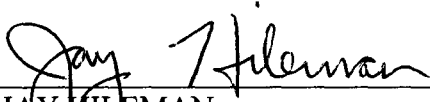
In violation of Title 18, United States Code, Sections 1028A(a)(1) and 2.

TRUE BILL:
Original Signature on File

FOREPERSON OF THE GRAND JURY

KENNETH MAGIDSON
United States Attorney

By:


JAY HILEMAN
Assistant United States Attorney